

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>PENOVIA LLC,</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>XEROX CORPORATION,</b>  <b>Defendant.</b>	Case No. 2:13-cv-00427-JRG  JURY TRIAL DEMANDED
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**AGREED MOTION TO DISMISS WITH  
PREJUDICE, PURSUANT TO SETTLEMENT**

Pursuant to Fed. R. Civ. P. 41 and pursuant to a settlement agreement between the parties, Plaintiff Penovia LLC (“Penovia”) hereby moves to dismiss with prejudice Penovia’s claims against Defendant Xerox Corporation, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: September 20, 2013

Respectfully submitted,

/s/ Craig Tadlock

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**CERTIFICATE OF CONFERENCE**

I hereby certify that on September 20, 2013, I conferred by email with counsel for Defendant Xerox Corporation, and counsel for Xerox has agreed to the form and substance of this motion. Accordingly, this motion is an agreed motion.

/s/ Craig Tadlock  
Craig Tadlock

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 20th day of September, 2013.

/s/ Craig Tadlock  
Craig Tadlock